

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**CHRYSTA GAIL GRAVES, as the  
administratrix of the estate of MICHAEL  
STEVEN GAILS, deceased**

**Plaintiffs,**

**v.**

**WACHOVIA BANK, NATIONAL  
ASSOCIATION, et. al.,**

**Defendants.**

**CIVIL ACTION NO. 1:08-cv-00075**

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**REPORT OF THE PARTIES' PLANNING MEETING**

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1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties held a planning meeting via teleconference on February 20, 2008. The participating counsel were as follows:

Stephen T. Etheridge for Plaintiff Chrysta Gail Graves; and

William J. Long for Defendant Wachovia Bank, N.A.

2. **Pre-Discovery Disclosures.** The parties will exchange by March 21, 2008 the information required by Federal Rule of Civil Procedure 26(a).

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

(a) Discovery will be needed on the following issues.

(i) Plaintiff's claims and Defendant's defenses.

(b) All discovery shall be commenced in time to be completed by March 15, 2009.

- (c) A maximum of twenty-five (25) interrogatories by each party to any other party. (Responses due 30 days after service).
- (d) A maximum of twenty-five (25) requests for admission by each party to any other party. (Responses due 30 days after service).
- (e) A maximum of ten (10) depositions by the plaintiff and ten (10) by each of the defendants (not to include expert witness depositions), excluding depositions upon written questions.
- (f) Each deposition limited to maximum of seven (7) hours unless extended by agreement of parties.
- (g) Reports from retained experts under Rule 26(a)(2) shall be due:
  - (i) from the plaintiff by January 7, 2009, with said experts to be made available for deposition by January 21, 2009;
  - (ii) from the defendant by February 6, 2009, with said experts to be made available for deposition by February 20, 2009.
- (h) Supplementations under Rule 26(e) shall be due on April 15, 2009.

**4. Other Items.**

- (a) The parties do not request a conference with the court before entry of the scheduling order.
- (b) The parties request a pre-trial conference May 18, 2009.
- (c) Plaintiff should be allowed until February 1, 2009 to join additional parties and amend the pleadings.
- (d) Defendant should be allowed until March 1, 2009 to join additional parties and amend the pleadings.
- (e) All potentially dispositive motions should be filed by April 29, 2009.
- (f) Settlement of the case is possible but cannot be evaluated prior to the completion of discovery. At such time, if any of the parties believe the use of alternative dispute resolution procedures may be beneficial in resolving this case, the parties, individually or jointly, will so advise the court.
- (g) Witness and Exhibit lists under Rule 26(a)(3) shall be due **30 days** prior to trial. The parties will have **15 days** after receipt of Witness and Exhibit Lists to list objections under Rule 26(a)(3).

- (h) The case should be ready for trial by June 8, 2009 and should take approximately two (2) days to try.

Dated this 27th day of February, 2008.

s/Stephen T. Etheridge

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*Attorney for Plaintiff Chrysta Gail Graves*

s/William J. Long

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*Attorney for Defendant Wachovia Bank,  
N.A.*